

Serial No.: 10/769,933  
Attorney Docket No.: NEW10-GN005 (39824)  
RCE and Amendment

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### REMARKS

#### **I. Introductory Comments**

Claims 1-3, 5-16, and 18-28 are currently pending in the application. Claims 4 and 17 have been canceled. Claims 1, 14, 25, and 28 have been amended. Support for the amendments can be found in the specification, drawings and claims of the application as filed. In particular, support can be found in drawing figs. 1 and 2, paragraphs 15 and 17. Continued examination and reconsideration of the Application is respectfully requested.

#### **II. Rejections under 35 U.S.C. § 102**

Claims 1-28 have been rejected as anticipated by U.S. Pat. No. 5,213,431 to Gentile et al. In light of the amendments to the claims noted above, namely the positive recitation of the container including an ergonomic gripping surface and a bottom surface having an area at least equal to the cross sectional area of any other portion of the container, it is believed that the 102 rejections have been overcome.

#### **III. Conclusion**

In light of the foregoing, it is respectfully submitted that the pending claims, as amended, are enabled, sufficiently described, novel, and non-obvious, and thus are in condition for allowance. Reconsideration and withdrawal of the rejections of record is respectfully requested.

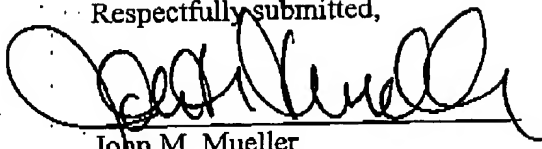
The Commissioner for Patents is hereby authorized to charge any additional fees that may be required by this paper, or to credit any overpayment to Deposit Account 50-3072.

If the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number provided below.

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Respectfully submitted,



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